

DEPARTMENT OF CONSUMER AFFAIRS
COURT REPORTERS BOARD OF CALIFORNIA
MINUTES OF THE OPEN SESSION
March 10, 2005

CALL TO ORDER

Ms. Julie Peak, Chair, called the meeting to order at approximately 4:05 PM at the Sheraton Gateway Hotel in Los Angeles.

ROLL CALL

Board Members Present

Julie Peak, Chair
Karen Gotelli, Vice Chair, Public Member
Gary Cramer, CSR
John Hisserich, Public Member

Board Members Absent

None

Staff Present

David E. Brown, Executive Officer
Norine Marks, Staff Legal Counsel

MINUTES OF NOVEMBER 11, 2004 MEETING

Ms. Peak asked if Board members had reviewed the minutes and if so, were there any amendments or additions. Mr. Cramer moved to adopt the minutes as presented. Mr. Hisserich seconded the motion, and the motion carried. **Minutes adopted.**

1. EXECUTIVE OFFICER REPORT: STATUS OF BOARD ISSUES

Sunset Review: Mr. Brown provided an update on the ongoing timeline for the Sunset Review process. The Legislative hearings were held in January 2005 and the Legislature has given their recommendations to the Department of Consumer Affairs (Department). After considering the recommendations, the Department will issue their own set of recommendations, which are due back to the Legislature on April 5, 2005. At this point, the Sunset Review Committee will review all comments and will issue a final recommendation by the end of April.

California Performance Review (CPR): The Little Hoover Commission was the entity charged with reviewing the recommendations of the CPR, and held several public hearings to gather input. Much testimony was gathered from Agency chiefs, business and industry leaders, and members of the general public. Subsequent recommendations from the Governor's office concluded that, "...this proposal will benefit from further review." This, in effect, completes the work on draft proposals dealing with board elimination at this time.

Code of Professional Conduct: The Board is moving forward to craft regulatory language on a Code of Professional Conduct. A committee has been working on draft language, which was reviewed at the February Board meeting. Each item was reviewed in concept, with suggestions for changes to specific wording on several of the items. At that meeting, members agreed to continue collaborating and produce a revised draft for discussion at the April 29, 2005 Board meeting in San Francisco.

Computerized Testing: Interest in and planning for computerized testing has been ongoing for several years. Various financial constraints and delays have prevented the effort from being fully implemented. The Department now is planning an "Invitation for Bid" process, which will take several months. On July 1st, 2005, the Department will send out language and solicit bidders. Projected date to award the contract is August 1st, 2005, with plans to begin computer based testing for some entities by November 1st, 2005. More information is expected to be available by the April 29th meeting in San Francisco.

Qualifier Task Force: In December 2004, the Board adopted a motion to consider a pilot project to review school qualifiers in an effort to address how students are passing their school qualifiers, yet are not successful in the Board exam. Mr. Cramer was named to lead the task force. The task force was put on hold pending work on the CPR and Sunset Review recommendations. The effort is now ready to proceed; Mr. Brown will be contacting interested parties to arrange for the first meeting.

Pass rate Verification Study: This effort has been undertaken to determine why the pass rate of the Board's dictation exam varies so widely. The Department's exam staff are assisting with preparing an invitation for bid to solicit contractors to perform the study.

CRB Budget: The Department is projecting a 4.1% surplus by July 2005. Even though additional costs will be incurred related to the postponement and eventual rescheduling of the written exam, the Board still expects to maintain a surplus for the fiscal year.

2. BUSINESS AND PROFESSIONS CODE 8025(D), DRAFT REVISIONS

Ms. Peak provided a brief summary of the background and impetus for re-examining this Code Section. The Sunset Review Committee recommendations included a suggestion to change the statute. Mr. Brown read the wording under consideration, which involves eliminating the phrase "...in the practice of shorthand reporting." Mr. Brown then indicated that if the Board would approve the revised wording, an author to support legislation could be secured. Mr. Hisserich made a motion to modify the language as agreed, and to seek an author for the bill after interested parties are notified. Mr. Cramer seconded the motion; **MOTION CARRIED.**

3. STRATEGIC PLAN

Ms. Peak shared that the Board had met on February 18, 2005 to update the Strategic Plan. She introduced the newly revised Strategic Plan; copies were made available for review. She requested that any corrections or modifications could be provided to Mr. Brown for inclusion into the final version. A brief discussion ensued; Ms. Peak offered to give her changes to Mr. Brown as the remaining suggestions were minor in nature. Mr. Cramer moved to adopt it, and Mr. Hisserich seconded the motion. **MOTION CARRIED.**

4.CONTINUING EDUCATION–Response to Sunset Review Recommendation

Ms. Peak explained that the issue of continuing education has been of interest to the Board for over ten years, yet for a variety of reasons a formal plan to implement continuing education has never been adopted. The Sunset Review Committee again raised the item for discussion, recommending that the Board look into continuing education to determine if it is needed, and the level of support for it within the Administration. Preliminary indications from the Department are that it would look at requests for continuing education on a “case-by-case basis.” Ms. Peak inquired if the Board was in favor of assembling a committee to review and consider continuing education and, with possible support of the Sunset Review Committee, to seek legislation for it.

During the discussion, Mr. Cramer indicated he was not in favor of mandating continuing education, and would abstain from any related voting. His opinion is that Courts should be responsible for training their employees, and it would be difficult to quantify the benefits Freelance Reporters would actually gain from such sessions. Additional discussion ensued which described recent changes in laws that affect court reporters, and which could have been shared through continuing education, benefiting all parties. Ms. Peak emphasized that the Sunset Review Committee recommendations were narrow in scope, confined to the laws, rules, regulations and ethics for court reporters. As the laws change so frequently, there is a great need to keep court reporters informed and up to date of new requirements.

Ms. Peak offered to wait until the final Sunset Review Committee recommendations are provided to the Board to determine further actions, suggesting that the issue be revisited at the April 29th meeting. Mr. Hisserich made a motion to form a new committee to review and consider the original continuing education findings, any subsequent information arising from the final Sunset Review report, and revisit the topic at the April 29th meeting. Ms. Gotelli seconded the motion; **MOTION CARRIED**. Mr. Cramer abstained.

5. FUTURE MEETING DATES

The next Board meeting was scheduled for 10:00 AM on April 29, 2005 in San Francisco.

6. ADJOURN

The Board adjourned the meeting into closed session at 4:58 PM.

The Board reconvened into open session at 5:20 PM. Ms. Gotelli moved to adjourn; Mr. Hisserich seconded the motion. **MEETING ADJOURNED**.

JULIE PEAK, Chair DATE

DAVID E. BROWN, Executive Officer

DATE